IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.6723 OF 2005
IN
CRI.APPEAL NO.961 OF 2005

Sayyed Mohd. Abdul Shaha
@ Akbar ...Applicant
Vs.
State of Maharashtra & Anr. ...Respondents

...
Mr.H.H.Ponda Advocate for Applicant
Mr.U.V.Nikam, A.P.P. for the State
...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : OCTOBER 27, 2005

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail. The applicant has been convicted under Section 326 of IPC. It is contended on behalf of the applicant that the applicant was on bail during the trial and he has not misused the liberty granted to him. This statement is not controverted on behalf of the prosecution.

3. Mr.Ponda, the learned counsel appearing for the

applicant, has submitted that no medical certificate has been produced to show the injuries suffered by P.W.1 Snehalata. Moreover, the learned Sessions Judge has observed in para no.11 that there is no indication of or proof tendered on record to justify that the injuries were grievous. In this view of the matter, I am inclined to grant bail to the applicant.

4. On the compensation amount and the fine amount being deposited, the applicant-Sayyed Mohd. Abdul Shaha @ Akbar to be released on bail of Rs.30,000/- with one or two sureties to make up that amount. During the pendency of the appeal, the applicant shall report to Colaba Police Station on every alternate Sunday. During the pendency of this appeal, on the amount of compensation being deposited, the same shall be invested in a nationalised bank initially for a period of two years and thereafter for any suitable period.

5. Application is disposed of.

[V.K.TAHILRAMANI,J.]